GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services –PR&RD Department - Allegation of corruption against Sri N.Krishna Prasad, the then AE, O/o.MPDO, Gurazala, Guntur District - Trapped by ACB officials on 27.05.2004 - Placed under suspension - Reinstated – Convicted in ACB Court – Dismissed from service – Appeal allowed by the Hon'ble High Court in Crl.Appeal No.29/2009 - Judgment delivered duly setting aside the conviction and the sentences passed by the Lower Court - Examined - Treating the period of suspension and dismissal period as "ON DUTY" under FR-54-A(3) – Orders – Issued.

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PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.Rt.No.674 Dated 21.08.2025.

Read the following:-

Ref:
1. Radio Message in Crime No.16/RCT-ACB-VJA/2004, dated 28.05.2004 of Range Inspector-III, ACB, Vijayawada.
2. Procdgs.No.SO.III(1)/2770/2000 of ENC, PR, dated 08.06.2004.
3. C.No.124/RCT-VGT/2004, dt.26.04.2006, Final Report of DG, ACB.
4. G.O.Ms.No.343, PR&RD (Vig.IA) Dept., dated 28.09.2005.
5. G.O.Rt.No.690, PR&RD (Vig.IA) Dept., dated 14.05.2007.
6. Order, dt.30-12-2008 in CC.No.17/2006 of Spl.Judge for SPE & ACB Cases, Vijayawada.
7. Letter C.No.124/RCT-VGT/2004, dated 22.01.2009 of DG, ACB.
8. G.O.Ms.No.128, PR&RD (Vig.IA) Dept., dated 23.04.2009.
9. Order, dated 03.05.2004 in Crl.Appeal No.29/2009 of Hon'ble AP High Court.
10. Letter C.No.124/RCT-VGT/2004, dated 17.09.2024 of DG, ACB.
11. Letter No.Vig.III(3)/2770/2000, dated 22.02.2025 of ENC, PR.
12. Letter No.Vig.III(3)/2770/2000, dated 30.04.2025 of ENC, PR.

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ORDER:-

In the reference 1st read above, the Director General, Anti-Corruption Bureau has brought to the notice of the Government that Sri N.Krishna Prasad, the then Assistant Engineer, O/o.Mandal Parishad Development Officer, Gurazala, Guntur District was trapped at his residence on 27.05.2004 when he demanded and accepted a bribe of Rs.5,000/- from the complainant for doing official favor.

2. In the reference 2nd read above, the Engineer-in Chief, Panchayat Raj has placed the Accused Officer, Sri N.Krishna Prasad, the then Assistant Engineer, O/o.Mandal Parishad Development Officer, Gurazala, Guntur District under suspension, as per Rule 8(1) of APCS (CC&A) Rules, 1991.

3. In the reference 4th read above, based on the request of the Director General, Anti-Corruption Bureau, Government accorded sanction to prosecute the Accused Officer in the Court of Law. Subsequently, in the reference 5th read above, the Accused Officer was reinstated into service pending finalization of criminal proceedings against him.

4. In the reference 6th read above, the Hon'ble Spl.Judge for SPE & Anti-Corruption Bureau cases, Vijayawada has convicted the Accused Officer, Sri N.Krishna Prasad, the then Assistant Engineer, O/o.Mandal Parishad Development Officer, Gurazala, Guntur District under section 248(2) of Cr.P.C

and sentenced to undergo simple imprisonment for a period of one year and to pay a fine of Rs.1,000/- in default to suffer simple imprisonment for three months for the offense punishable u/s 7 of P.C.Act, 1988 and further sentenced to undergo simple imprisonment for one year and to pay a fine of Rs.1,000/- in default to suffer simple imprisonment for three months for the offense punishable u/s 13 (1)(d) r/w Sec.13(2) of P.C.Act, 1988.

5. In the reference 7th read above, Director General, Anti-Corruption Bureau has informed that the Accused Officer, Sri N.Krishna Prasad, former Assistant Engineer, O/o.Mandal Parishad Development Officer, Gurazala, Guntur District was convicted in CC No.17/2006 and requested to dismiss the Accused Officer from Service. Accordingly, in the reference 8th read above, Government dismissed the Accused Officer, Sri N.Krishna Prasad, former Assistant Engineer, O/o.Mandal Parishad Development Officer, Gurazala, Guntur District from the service under Rule 25(i) of APCS (CC&A) Rules, 1991.

6. Aggrieved by the judgment of the Hon'ble Spl.Judge for SPE and Anti-Corruption Bureau cases, Vijayawada in C.C.No.17/2006, Sri N.Krishna Prasad, the then Assistant Engineer, O/o.Mandal Parishad Development Officer, Gurazala, Guntur District (Dismissed) has filed Criminal Appeal No.29/2009 before the Hon'ble High Court of Andhra Pradesh. Later, the Accused Officer was expired on 11.01.2017. The Hon'be High Court of Andhra Pradesh in the reference 9th read above, has set aside the conviction and sentences passed by the lower court against the Accused Officer (deceased) for the offense committed under Sections 7 and 13(1)(d) read with Section 13(2) of Prevention of Corruption Act1988 and acquitted him for the said offenses.

7. In the reference 10th read above, the Director General, Anti-Corruption Bureau, Vijayawada has informed that the above case is not a fit case to prefer Special Leave Petition in the Hon'ble Supreme Court of India against the orders of the Hon'ble High Court of Andhra Pradesh in Criminal Appeal No.29/2009, filed by Accused Officer, late Sri N.Krishna Prasad, the then Assistant Engineer, O/o.Mandal Parishad Development Officer, Gurazala, Guntur District (Dismissed).

8. In the reference 11th read above, the Engineer-in Chief, Panchayat Raj while enclosing the representation of Smt.N.Madhavi, W/o.late Sri N.Krishna Prasad, the then Assistant Engineer (dismissed from service) and expired on 11.01.2017 along with the orders of the Hon'ble High Court of Andhra Pradesh in Crl.Appeal No.29 of 2009, has requested the Government to treat the suspension/dismissal period as duty and release the pensionary benefits to Smt.N.Madhavi, W/o.late N.Krishna Prasad, the then Assistant Engineer (dismissed).

9. Government after careful examination of the entire subject matter, hereby decided to implement the orders of the Hon'ble High Court of Andhra Pradesh in Crl.Appeal No.29 of 2009, filed by Sri N.Krishna Prasad, the then Assistant Engineer, O/o.Mandal Parishad Development Officer, Gurazala, Guntur District and treat the suspension period of Accused Officer from 08.06.2004 to 21.05.2007 and the dismissal period from 23.04.2009 to 31.07.2011 (due retirement date of Accused Officer) as "on duty" for all purposes, under Rule F.R.54A-(3).

10. This order issued with the concurrence of the Finance (HR-IV, FR&LR) Department vide their e.file Computer No.2843035.

11. The Engineer-in Chief, Panchayat Raj shall take further necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada.
Smt.N.Madhavi, W/o.late Sri N.Krishna Prasad, the then AE (dismissed from service) **through** the Engineer-in-Chief, PR, AP, Vijayawada.

Copy to:

The Director General, Anti-Corruption Bureau, Vijayawada.
The Secretary to VC, AP Vigilance Commission, Velagapudi.
The Pay and Accounts Officer, A.P., Mangalagiri.
The Principal Accountant General (A&E), AP, Vijayawada.
The OSD to the Hon'ble Dy.CM for PR&RD, RWS&S and EFS&T.
The P.S. to the Principal Secretary to Govt., PR&RD Department.
SF/SC (2791670).

//FORWARDED::BY ORDER//

SECTION OFFICER